

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

[illegible]

**STIPULATION OF DISMISSAL OF CLAIMS
BETWEEN PLAINTIFF CELLTRACE LLC AND
THE SPRINT NEXTEL DEFENDANTS**

Plaintiff Celltrace LLC and Defendants Sprint Nextel Corporation, Sprint Spectrum L.P., Sprint Communications Company L.P., Nextel Operations, Inc., Nextel West Corp., Nextel of California, Inc., Nextel Communications of the Mid-Atlantic, Inc., Nextel of New York, Inc., Nextel South Corp., and Nextel of Texas, Inc., (collectively the “Sprint Nextel Defendants”), by their respective counsel of record, stipulate and agree, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, that all claims asserted by Plaintiff Celltrace LLC against the Sprint Nextel Defendants, and all counterclaims asserted by the Sprint Nextel Defendants against Plaintiff Celltrace LLC, shall be and hereby are dismissed ***WITH PREJUDICE*** to refiling same, each party to bear its own costs.

Date: October 4, 2010

Respectfully submitted,

By: /s/ Donald Puckett

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CERTIFICATE OF ELECTRONIC SERVICE

This is to certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per LOCAL RULE CV-5(a)(3) today, October 4, 2010. Any other counsel of record will be served by postage paid, certified first class mail, return receipt requested.

/s/ Donald Puckett

Donald Puckett